

FILED  
5/9/23 10:53 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Gloria J. Oakes

Case No. 20-70077-JAD

Chapter 13

Debtor(s).

Related to Doc. Nos. 12 & 31

Doc. # 39

**STIPULATED ORDER MODIFYING PLAN**

WHEREAS, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☐ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: The Trustee
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Chapter 13 Plan dated February 20, 2020
- ☐ Amended Chapter 13 Plan dated \_\_\_\_\_

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor(s) Plan payments shall be changed from \$1,038.00 to \$1,144.00 per month, effective May 2023; and/or the Plan term shall be changed from 48 months to 60 months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: The claim of M & T Bank (Claim #3-2) governs as to amount at 3.25% with payments to be determined by the Trustee and a non-interest bearing amount of \$1,373.77 plus an on-going escrow payment of \$214.49 as a long term continuing debt beginning 3/20, then following all allowed post-petition payment change notices filed of record.

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

SO ORDERED, this 9th day of May, 2023

  
jsf  
United States Bankruptcy Judge  
Jeffery A. Deller

Stipulated by:

/s/ Jeffrey A. Muriceak  
Jeffrey A. Muriceak (PA I.D. #76013)  
Counsel to Debtor  
Evey Black Attorneys  
401 Allegheny Street  
Hollidaysburg, PA 16648  
814-695-7581  
[jmuriceak@eveyblack.com](mailto:jmuriceak@eveyblack.com)

Stipulated by:

/s/ Katherine DeSimone  
Katherine DeSimone (PA I.D. #42575)  
Counsel to Chapter 13 Trustee  
Office of the Chapter 13 Trustee  
U.S. Steel Tower – Suite 3250  
600 Grant Street  
Pittsburgh, PA 15219  
412-471-5566  
[kdesimone@chapter13trusteedpa.com](mailto:kdesimone@chapter13trusteedpa.com)

cc: All Parties in Interest to be served by Clerk

In re:  
Gloria J Oakes  
Debtor

Case No. 20-70077-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7  
Date Rcvd: May 09, 2023

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 8

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ^      | Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.   |

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 11, 2023:**

| Recip ID | Recipient Name and Address                                   |
|----------|--|
| db       | + Gloria J Oakes, 155 Knisely Lane, Claysburg, PA 16625-8915 |

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address             | Date/Time            | Recipient Name and Address  |
|----------|--|----------------------|---|
| cr       | Email/Text: JCAP_BNC_Notices@jcap.com  | May 09 2023 23:36:00 | Jefferson Capital Systems, LLC, PO Box 7999, St Cloud, MN 5632-9617                                 |
| 15230563 | Email/Text: ally@ebn.phinsolutions.com | May 09 2023 23:36:00 | Ally Financial, PO Box 130424, Roseville MN 55113-0004  |
| 15198856 | + Email/Text: pfahey@amaccts.com       | May 09 2023 23:36:00 | American Accounts & Advisers, Attn: Bankruptcy, PO Box 250, Cottage Grove, MN 55016-0250            |
| 15228099 | Email/Text: JCAP_BNC_Notices@jcap.com  | May 09 2023 23:36:00 | Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617                               |
| 15198857 | ^ MEBN                                 | May 09 2023 23:32:44 | KML Law Group, Suite 5000 - BNY Independence Center, 701 Market Street, Philadelphia, PA 19106-1541 |
| 15198858 | Email/Text: camanagement@mtb.com       | May 09 2023 23:36:00 | M & T Bank, Attn: Bankruptcy, P O Box 844, Buffalo, NY 14240  |
| 15232208 | Email/Text: camanagement@mtb.com       | May 09 2023 23:36:00 | M&T Bank, PO Box 840, Buffalo, NY 14240   |

TOTAL: 7

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|------------------|
| cr       |               | M&T Bank         |

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309):** Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains

District/off: 0315-7

User: auto

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Date Rcvd: May 09, 2023

Form ID: pdf900

Total Noticed: 8

**the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 11, 2023

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 9, 2023 at the address(es) listed below:**

| <b>Name</b>                         | <b>Email Address</b>   |
|-------------------------------------|--|
| Brian Nicholas                      | on behalf of Creditor M&T Bank bnicholas@kmlawgroup.com                          |
| Jeffrey A. Muriceak                 | on behalf of Debtor Gloria J Oakes jmuriceak@eveyblack.com choover@eveyblack.com |
| Maria Miksich                       | on behalf of Creditor M&T Bank mmiksich@kmlawgroup.com                           |
| Office of the United States Trustee | ustpreion03.pi.ecf@usdoj.gov   |
| Ronda J. Winnecour                  | cmecf@chapter13trusteewdpa.com   |

TOTAL: 5